

Remarks

Claims 1-79 were the subject of the Restriction. In reviewing the application as filed, it was noted that claims 60-66 were missing (i.e., the application as filed contained claims 1-59 and 67-86). It is presumed that, in preparing the Restriction Requirement, the examiner renumbered claims 67-86 as claims 60-79, respectively. **For the record, confirmation by the examiner is requested.** This presumption is continued in the instant paper in which, for example, Applicants request cancellation of claims 1-79 rather than cancellation of claims 1-59 and 67-86. However, since the record indicates that there were, in fact, claims 80-86 in the application as filed, the new claims submitted herein are denoted as claims 87-93.

In this paper, claims 1-79 are canceled without prejudice. However, it will be understood that Applicants reserve the right to prosecute any of these claims in one or more downstream divisional applications as Applicants see fit.

Applicants elect groups 5 and 8 for prosecution in the instant application. With respect to group 5, and satisfying the requirement set forth on page 4, lines 9-12 of the Office action, new claim 87 and its dependents are directed to the polypeptide set forth in part (i) of claim 23. It is understood that groups 5 and 8 are related to each other as products and processes for use, respectively (see page 5, lines 7-12 of the Office action). Hence, Applicants have followed the suggestion on page 8, line 12 to page 9, line 11 of the Office action, and thus have made new claim 91 dependent from new claim 87. Thus, Applicants request a rejoinder in accordance with M.P.E.P. §821.04.

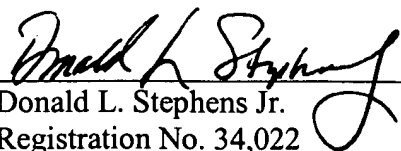
Responding to the requirement set forth on page 7, lines 7-17, and with respect to new claim 91, Applicants elect acute respiratory distress syndrome as the species for prosecution on the merits if no generic claim is held to be allowable. In this regard, it is noted that claims 91 and 92 are generic and that claim 93 is directed to the elected species.

Respectfully submitted,

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